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DADE COUNTY COMMISSION

11

REGULAR MEETING

12

JUNE 2, 2011

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1 MR. RUMLEY: We'll go ahead and call  
2 the meeting to order. I appreciate all of you  
3 staying tonight. Before we get started, Robert,  
4 would you lead us in prayer and Pledgee of  
5 Allegiance?

6 (Thereupon, the invocation and  
7 Pledge of Allegiance were given.)

8 MR. RUMLEY: Thank you, Robert. This  
9 is the regularly-scheduled meeting of the Dade  
10 County Commission which takes place at the same time  
11 on the first Thursday of every month. Proper notice  
12 of this meeting was given to our legal organ, the  
13 Dade County Sentinel, and has been posted in the  
14 hallway of the Administration Building. At this  
15 time, I need a roll call. Mr. Cervelli?

16 MR. CERVELLI: Here.

17 MR. RUMLEY: Mr. Goff?

18 MR. GOFF: Here.

19 MR. RUMLEY: Mr. Pittman?

20 MR. PITTMAN: Here.

21 MR. RUMLEY: Mr. Smith?

22 MR. SMITH: Here.

23 MR. RUMLEY: The chair is present.  
24 We'll move down to Commissioners' reports, different  
25 committee reports. Mr. Smith, do you want to start?

1 MR. SMITH: I really don't have  
2 anything other than people seem to be working into  
3 the new norm of things. We're going pretty well.  
4 Those -- like I said during the workshop, I owe the  
5 Massengales, one or the other, a big apology for  
6 using the wrong name last time. Whichever one wants  
7 the biggest apology, I apologize.

8 MR. RUMLEY: Okay. Scottie?

9 MR. PITTMAN: First, I would like to  
10 congratulate our senior class. They had their  
11 graduation Friday night. I think there was 156  
12 seniors graduated this time. The year I graduated  
13 there was around 130, so Dade County stays pretty  
14 close to the 130, 150 senior range.

15 Also, there was a gentleman that came  
16 up and talked to me. We were talking about  
17 announcing the deadline for July 1<sup>st</sup> for the FEMA  
18 pickup of debris. There's still a lot of houses  
19 that have debris in front of them and we don't know  
20 whether they're insurance clean-ups or private  
21 citizen clean-ups. If you know of someone who is  
22 planning on cleaning their own debris up and they're  
23 having trouble getting a Bobcat or some kind of  
24 equipment to clean the debris up, tell them to give  
25 one of us a call. It really doesn't matter which

1 one. We'd just like to have as much input as we can  
2 from private citizens. If we've still got a large  
3 number of people that are waiting on equipment to  
4 clean their debris up, Ted could use that  
5 information toward the FEMA people and get the  
6 deadline extended.

7 So anybody you know that's planning on  
8 privately cleaning their debris up or just having  
9 trouble getting a Bobcat or a dozer or whatever the  
10 case may be, tell them to give one of us five a  
11 call. It doesn't matter which one. Everybody  
12 doesn't need to call Ted because that would just  
13 swamp him down.

14 MR. RUMLEY: Well, I don't mind. My  
15 number is easy. You know, I answer my phone and  
16 y'all -- you know, you work, but just as long as you  
17 let us know because that's something FEMA will base  
18 it off of.

19 MR. RUMLEY: Everybody call Peter  
20 Cervelli.

21 MR. CERVELLI: I have Ted's number like  
22 everybody else.

23 MR. RUMLEY: He forwards his phone to  
24 mine after midnight.

25 MR. PITTMAN: We've still got some

1 damage at the transfer station, the building. I  
2 don't know. Ted may go over what we're doing to  
3 repair that. I haven't talked to Billy in the last  
4 couple of weeks, but everything is operational.  
5 We're back to our normal schedule, closed on Sunday  
6 and Monday. That's really all I've got.

7 MR. RUMLEY: We're still taking debris,  
8 actual green debris and household, but it's over  
9 on -- right by City Hall. So that won't be opened  
10 back up to normal actually on the back side until  
11 actually all this is over and all the debris is  
12 actually hauled off. Have you got anything else?

13 MR. PITTMAN: I don't think so.

14 MR. RUMLEY: Robert?

15 MR. GOFF: Well, I would just like to  
16 report on, first of all, in the area that I live in  
17 and within the city where the tornado hit so hard,  
18 there has been a lot of clean-up. It's beginning to  
19 turn around and look a lot better. There's been, I  
20 know personally, a lot of frustration of things  
21 moving slow and all the things you have to deal  
22 with. Try to take under consideration that the  
23 insurance companies and the builders and everybody  
24 else is working under the same load.

25 But again, thank you to all the

1 volunteers that have helped people get back to  
2 normal. I know I was blessed over the weekend with  
3 several from Tifton, Georgia, from South Carolina  
4 and from Indiana to come down and some church groups  
5 that worked. So there are some groups out there  
6 like what Scottie was talking about. You may be  
7 able to contact the sheriff's department, see if  
8 there's still volunteers out there or churches and  
9 see if there's any groups coming in to work because  
10 it's been a great blessing to the county.

11 We did -- as far as the facilities that  
12 are under -- kind of under my watch, the four fields  
13 or the recreation complex was kind of multitasked  
14 during the last month. We may hear a little bit  
15 more of that from the Chamber in just a few minutes  
16 of what went on down there with the State of Dade  
17 Heritage Festival and all that. But again, it's  
18 just good to have facilities where we can kind of  
19 move in and do things a little bit different and  
20 work things out and be able to go on.

21 And, again, I commend all of those, the  
22 DDA and the Chamber, whoever it was, everybody that  
23 was involved. I don't know how well it did, but it  
24 gave people something to do. It kind of gave a  
25 little normalcy back to the county in a time of

1 pretty good stress. So I thank you for doing that  
2 and everybody that was able to attend and have a  
3 little time away and kind of get away and let's just  
4 keep on trucking. We'll be back. The pickup will  
5 be done and the trees will die in the fall and some  
6 of them is going to come back next spring and it  
7 will be a whole new world. Let's all keep our heads  
8 up and keep on going.

9 MR. RUMLEY: Thank you, Robert. Peter?

10 MR. CERVELLI: Thank you. Just a  
11 couple of comments on the storm damage. You know,  
12 you can see that FEMA is gone from this room. They  
13 were here a long time, but I think everybody who  
14 needs to apply has until the end of this month, the  
15 28<sup>th</sup>, to still apply. So if you know of anybody  
16 who has not and needs that, they can contact FEMA  
17 directly and still apply, but the deadline is  
18 looming for assistance from FEMA.

19 I also wanted to recognize all the work  
20 that's been done like everyone else in this cleanup.  
21 I think we're well over 100,000 cubic yards of  
22 debris, maybe 125,000 cubic yards of debris picked  
23 up, somewhere in that ballpark. I have a hard time  
24 visualizing how much that really is. It's like 500  
25 tractor trailer loads of debris or something like

1 that.

2 MR. RUMLEY: Well, a cubic yard is  
3 about the equivalent of a dryer or washer. The way  
4 they look at it, FEMA when they did the first  
5 initial training, two cubic yards is the size of a  
6 Port-a-John, if you look at a Port-a-potty. It  
7 showed the picture and said this is equivalent to  
8 about two cubic yards.

9 MR. CERVELLI: Well, a lot of those. I  
10 know it's been a challenge more than just picking up  
11 the debris and I think Ted will probably talk about  
12 it. It's also been a bureaucratic challenge for the  
13 county to deal with really an enormous amount of  
14 data, paperwork, FEMA people coming through here.  
15 And we talked a little bit about the financial  
16 impact and I'll talk about that shortly.

17 We go back to just our normal finance  
18 report. Our local option sales tax in May was  
19 \$144,000 versus about 142,000 last May. It's about  
20 the same, about one percent difference between the  
21 two months. Actually, if you look at what we've  
22 collected so far this year, it's almost the exact  
23 same amount as what we collected last year. So I  
24 can easily say sales tax is flat. It's not going  
25 down. It's not going up. Good news, it's not going

1 down, but it's clearly flat around that \$150,000  
2 mark a month for L.O.S.T. It's a little below that  
3 number now, but it was also a little above in the  
4 prior months. We're essentially flat.

5 In terms of S.P.L.O.S.T, we collected  
6 \$180,500 and that's the same percentages as -- about  
7 one percent more -- about one and a half percent  
8 more than we captured last year in the same month.  
9 Based on our new budget estimation, we're now  
10 estimating about \$185,000 a month for S.P.L.O.S.T.  
11 That's a lot less than we originally projected, so  
12 we are now in the ballpark of reality. We're  
13 actually collecting what we thought we should budget  
14 for and that's where we are. So S.P.L.O.S.T is  
15 realistic in terms of what we expect. We wish it  
16 were more, but we budgeted based on what we're  
17 actually collecting, so that's a good thing.

18 In terms of the budget, we're going to  
19 talk about the April budget. We've closed April and  
20 that's the 83 percent mark for the year. We have  
21 revenues of about 85 percent based upon what we  
22 projected and our expenses are at the 78 percent  
23 mark. So that's why when I spoke earlier that we're  
24 doing okay in terms of closing this year. People  
25 have managed very well their expense budgets. We've

1 still got two more months to go for this year in  
2 terms of actually closing the books on May and June,  
3 but we think we've projected where we are and even  
4 though revenues are going to be short about \$600,000  
5 based on our projections, folks have done an  
6 excellent job of managing the expense budget for  
7 this year.

8 The bad news, of course, is the impact  
9 of the storm damage, we're going to pay 15 percent  
10 of whatever that turns out to be. And I think Ted  
11 threw out a number earlier of about two and a half  
12 million dollars.

13 MR. RUMLEY: About two and a half  
14 million.

15 MR. CERVELLI: About two and a half  
16 million dollars projected expense for us. And I  
17 think we'll talk a little bit more about what's  
18 trying to be done to try to get our percentage that  
19 we actually have to pay lower and he's probably got  
20 a lot more to say about that because he's been  
21 working hard on it.

22 In terms of next year, Don told you  
23 earlier, we are about halfway through the budgeting  
24 process with the department heads. We are building  
25 business as usual budgets, which basically means

1 we're looking at people to come in less than they  
2 budgeted for the prior year or at best -- worse  
3 case, same as they did. Now, that's a business as  
4 usual budget. Once we understand the impact of our  
5 digest, which we should know in about ten days, and  
6 we have a better handle on the reimbursement rate,  
7 because we'll probably go back and revisit those  
8 budgets.

9 So everybody understands even though  
10 we've had a meeting, it's only a first pass at next  
11 year's budget, so there's a lot to do yet in that  
12 regard.

13 I wanted to comment on road issues for  
14 a second on Lookout Mountain at least. Burkhalter  
15 Gap is planned to be repaved from the slide area up  
16 to Scenic Highway. That will occur based on GDOT  
17 telling us, Billy is back there, he made that call,  
18 no later than August and Burkhalter Gap is not the  
19 only road going to be paved in the county. Billy,  
20 you may just want to say where the others are.

21 MR. MASSENGALE: We've got the others  
22 on the north end, Sarah's Chapel. It will be paved  
23 from U.S. 11 over to the Creek Road and there will  
24 be one continuing to Sunset, which has been going on  
25 for years to try to get a little bit more round and

1 it will be basically -- on these roads, it's not  
2 something that Peter or Ted gets to pick. We submit  
3 the road. The State has got their formula which  
4 they pick which roads. They might pick two in one  
5 area one time, two in another. We've not got  
6 control. The State tells us which roads are going  
7 to get paved. We did get one on the north end this  
8 time.

9 MR. CERVELLI: And certainly the upper  
10 level of Burkhalter, if you drive that, is in dire  
11 need of being fixed and so that's scheduled for no  
12 later than August because then they start paying a  
13 penalty if they don't pave it by then.

14 We will get back to the warning light  
15 issues on Lookout. We've got a little bit more time  
16 here. There are a couple of strategic places we  
17 want to see some warning lights and we will address  
18 those. So that's all I have.

19 MR. RUMLEY: And also the red light at  
20 the school. That's still in the works. You know,  
21 we actually got approved for that, but we also got  
22 advised we would have to pay 100 percent of it.

23 MR. CERVELLI: Yeah. You can do it as  
24 long as you pay for it.

25 MR. RUMLEY: Yeah. That's right at a

1 quarter of a million dollars, from what I  
2 understand, with the actual -- maybe a little more  
3 than that with controls and all. Anything else,  
4 Peter?

5 MR. RUMLEY: Well, the -- this has been  
6 a strange month, you know. We came out of April and  
7 into May and the tornadoes. It's just -- I really  
8 have found out what the word FEMA means this month.  
9 I think all of us have, FEMA and GEMA, and how  
10 important these people are when you actually have a  
11 disaster in your community.

12 Not only that, but all the people, the  
13 volunteers and the people that came together that  
14 it's just amazing. I know you hear that every time  
15 you turn a television show on, hear a lot of people  
16 talking about it, but it's just amazing how people  
17 worked together from the State authorities to the  
18 Sheriff's Department, American Legion, our churches.  
19 I could just go on and on, but I would leave  
20 somebody out.

21 But as I said over there, it makes you  
22 appreciate where you live in Dade County, Georgia.  
23 I mean, I seen people working side by side that --  
24 well, I'm not going to call any names, but they  
25 haven't spoke in ten years and they're just right

1       there. They're kinfolks, too, and now they're  
2       hugging each other.

3               But getting back to the finance part of  
4       the County, the financing as far as our payout and  
5       how this whole thing is working out. FEMA has come  
6       in and, of course, they've agreed initially to pay  
7       75 percent of the total debris removal, which would  
8       be -- we're estimating the total cost could be about  
9       two and a half million dollars. Our share would  
10      actually -- would normally be 25 percent, but the  
11      State has verbally agreed to pay ten percent of  
12      that. So that leaves 15 percent to be split between  
13      the City of Trenton and Dade County and they've  
14      actually agreed to pay 20 percent of that, so -- of  
15      that 15. So it's still a lot of money and we're  
16      trying -- I've been on the phone for the past two  
17      weeks, e-mails and been in contact with Tom Graves,  
18      all of our congressmen. Our governor is really on  
19      board with us.

20             Of course, he went from Washington to  
21      being our governor and he's still got a lot of  
22      connections up there. I've got some good feelings  
23      that they're going to be able to lower our portion  
24      of that. I've not seen anything on paper, but we're  
25      hoping for a 90/10 possibly, 90 out of federal,

1     ten percent left to us and that ten percent probably  
2     will be paid by the State, but we're holding --  
3     because that's the way it's worked in other places.  
4     I think in Alabama, the State of Alabama now,  
5     they've actually absorbed 100 percent, so that took  
6     a burden off those counties that were hit. Joplin,  
7     Missouri, I noticed this morning, they're at 90/10.

8             So just -- you know, if you know anyone  
9     that possibly -- I mean, politically because that's  
10    where it's coming from is actually Atlanta and  
11    Washington, don't be bashful. Call them. Because  
12    the money we're spending, that 12 percent to the  
13    County or 15 percent to the County and City, that's  
14    your money. That's tax money. It's got to come  
15    from somewhere, so don't be bashful on that.

16            We are at about -- on debris, we're  
17    right at half, 50 percent as of probably the end of  
18    this week. It might be a little bit more than that.  
19    FEMA, as I said in the work session, they've met  
20    with me and they're kind of putting the pressure on  
21    us to put a cutoff date more or less as -- you know,  
22    say, okay, you've got until July 15<sup>th</sup> or whatever  
23    and then after that date, there will be no more  
24    debris from FEMA or paid for by FEMA. And, of  
25    course, we're going to look at a lot of things.

1           A fellow came up just a minute ago and  
2 he was talking about, well, that's not going to give  
3 him time enough to rent the equipment to bring his  
4 up. FEMA, you know, anyone that's got that problem  
5 needs to contact me or contact -- as Scottie said  
6 and let us know. They'll go out probably to these  
7 sites because they need the address and all and they  
8 will actually go out and visually look because  
9 they've got people in the county. They've probably  
10 got, I guess, eight people here now, maybe more that  
11 are actually out there in the field, field people.  
12 They'll actually evaluate that and they've got their  
13 own little scenario they put together to -- actually  
14 a formula they come up with whether they're going to  
15 give us more time or not.

16           Initially, the bid was 180 days and that  
17 was just a guesstimate of how long it would take.  
18 You know, that was just something we just --  
19 actually FEMA and the State and debris people and we  
20 came up with that. That could be extended or could  
21 be taken -- shortened. The way it's looking and the  
22 rate they're going, it's probably going to be a  
23 shorter time because -- well, another thing that's  
24 kind of pointing that way, they're pulling four or  
25 five trucks out of the county this week, putting

1       them in Catoosa County. So that will leave us with  
2       about five trucks -- well, actually six trucks. So  
3       they're narrowing it down, so just bear with them.  
4       Like I said, if you've got any questions or anything  
5       about the cutoff date, you can call my cell number,  
6       667-8999 or call here at the office, 657-4625.

7               Even after all this debris is up, it's  
8       still going to be, as you all know, a long process,  
9       still a lot of homes that hopefully will be built  
10      back and we're running into things just like we  
11      discussed tonight about the ones that are not going  
12      to build back that are leaving them standing, you  
13      know, really what they're going to do, who's going  
14      to buy it. We don't know and hopefully we never go  
15      through anything like this.

16             I do have a report here Don just handed  
17      me. This is some statistics -- not statistics, but  
18      real numbers here on our vegetation yardage as of  
19      May 29. They picked up 114,025 yards of vegetation.  
20      That's greenery. That's trees, tree branches. C&D  
21      yardage, which is house debris, bricks, blocks, two  
22      by fours, roofing, they picked up 36,373 yards of  
23      that. Now, that's only the people that are working  
24      here. There was a lot -- a tremendous amount that's  
25      been hauled by private individuals that's actually

1 as you can see on our lot that we have a lease down  
2 here. So I would estimate probably there being  
3 another 8,000, 7,500 yards down there. Would that  
4 be accurate, Billy, roughly?

5 MR. MASSENGALE: Yes, if not a little  
6 more.

7 MR. RUMLEY: Yeah. But as I said,  
8 we've still got -- if we do the cutoff date that  
9 first week, you've still got a month. Well, you  
10 might say a month and two weeks because it will wind  
11 up probably going on into that second week with them  
12 finishing up.

13 But other than that, you know, we're  
14 just trying to deal with this disaster. It's really  
15 stressful. It's been stressful on Alex Case back  
16 here. He's our emergency management director. He's  
17 put a lot of hours in, as havw all of us. It's  
18 almost like -- even to us it's like a nightmare or  
19 something. You know, something you dream of and  
20 you're ready to wake up. I know it has been for  
21 Alex because the paperwork dealing with FEMA, it's  
22 just -- just for, you know, a PW that's going to  
23 generate you \$1,000 back, because I signed four PWs,  
24 which is a project worksheet, today. You know,  
25 there's just as many pages for it as there are one

1 that will generate you 300,000. And there's, I  
2 think, 18 pages, I think, Alex, 19 pages and all of  
3 them have got just so many little things that you've  
4 got -- and if it's not filled out right, then they  
5 reject it and then reject it again. It's just so  
6 much to it.

7 But if any of you -- like I said,  
8 you've got questions or if you've got any comments,  
9 anything that we may be doing wrong that you might  
10 pick up on, call us. That's what we're here for.  
11 We work for you. We are public servants and I think  
12 there's not a person here tonight that don't realize  
13 what a public servant is. Y'all are our bosses. So  
14 I'll end with that. After the meeting, if you've  
15 got any questions, you want to talk to me, I'm  
16 always here. Have you got anything else, Peter?

17 MR. CERVELLI: No.

18 MR. RUMLEY: Peter -- I mean, Mitchell?  
19 Scottie, do you have anything you want to add?

20 MR. SMITH: No.

21 MR. PITTMAN: No.

22 MR. RUMLEY: Okay. Looks like we've  
23 got Ms. Debbie Tinker. She's our -- are you here,  
24 Debbie? She's our Chamber director.

25 MS. TINKER: First of all, the festival

1 committee would like to thank the City and the  
2 County for furnishing the -- I'll try to talk loud.  
3 I just thank them. First of all, the festival  
4 actually turned into a fundraising event for  
5 disaster relief. No, I don't think it did as well  
6 as we would have liked it to, but then you have to  
7 realize there was so many other things happening  
8 during that time. People that would have normally  
9 been there or that had decided to participate with  
10 us were working their own areas and their own events  
11 such as Chattanooga was having fundraising events  
12 that weekend. The main goal though was to make it  
13 be a little bit more normal. There was fundraising  
14 done. Hopefully we did make money after all of the  
15 sponsorships come in with the T-shirt sales and the  
16 carnival.

17           The thing that I would like to say  
18 thank you so much to our businesses, our government,  
19 our community, especially the local musicians that  
20 came out and entertained us, but all of them stepped  
21 up when we didn't have a whole lot to offer them for  
22 their sponsorship because so many things were  
23 happening and to turn around and say we want to do  
24 this for disaster relief, don't have a lot to give  
25 you, but we can put your name on the back of a

1 T-shirt and you would be amazed at how well they  
2 stepped up, and churches. And thank you, Don, for  
3 bringing y'all's youth group out.

4 But as I said, it really changed from a  
5 heritage festival to a fundraising event. So many  
6 of the activities we would have liked to happen  
7 didn't happen, but I myself am pleased if it just  
8 made one family happy for that period of time.  
9 Thank you.

10 MR. RUMLEY: Thank you, Debbie. Okay.  
11 Don? Mr. Don Townsend will go over our financial  
12 report for the month.

13 MR. TOWNSEND: As of May 31<sup>st</sup>, the  
14 general fund had a balance of \$376,545. The federal  
15 asset fund, U.S. Treasury, \$285; sheriff's special  
16 fund, \$2,226; drug abuse education fund, \$90,226;  
17 supplemental juvenile services fund, \$19,022; victim  
18 assistance fund, \$3,091; jail fund, \$9,250. Federal  
19 asset fund, Department of Justice, \$3,660; payroll  
20 account, \$202,468. Principal and interest account,  
21 \$146,420. S.P.L.O.S.T project account, \$309,927;  
22 proceeds account, \$829,567; construction account,  
23 \$19,047.

24 Revenues by the departmental level for  
25 the actuals as of April 30<sup>th</sup>, we collected

1 \$397,683.87. What we budgeted was \$534,079, so we  
2 were short \$136,395.63. Year-to-date revenue was  
3 \$7,404,386. What we budgeted was 7,793,984. Again,  
4 short \$389,598. Revenues attained so far for the  
5 year is 85.48 percent and we should be around  
6 83.33 percent as of April 30<sup>th</sup>, so a little short,  
7 but not too bad.

8 Expenses as of April 30<sup>th</sup>, 2011,  
9 actual was \$641,598. Budgeted was \$629,224. So  
10 that was over spent by \$12,373 for the month.  
11 Budget year-to-date -- I'm sorry, expenses  
12 year-to-date \$6,985,521, of what was budgeted of  
13 7,106,867. So we under spent here by 121,346.  
14 Revenues less expenses again for April was short  
15 \$243,914 and revenues less expenses year-to-date was  
16 418,864.

17 S.P.L.O.S.T -- I'm sorry, local option  
18 sales tax for May was \$144,458.27. Special purpose  
19 local option sales tax reported in May was  
20 \$180,572.73. Commissioner Cervelli has covered  
21 everything else sufficiently.

22 MR. RUMLEY: Okay. Any questions,  
23 Mitchell?

24 MR. SMITH: No.

25 MR. RUMLEY: Scottie?

1 MR. PITTMAN: No.

2 MR. RUMLEY: Robert, Peter, do you have  
3 anything you want to add to it? If not, I'll  
4 entertain a motion to approve our financial report  
5 presented by Mr. Townsend.

6 MR. PITTMAN: I make a motion we  
7 approve the financial report as read by Don  
8 Townsend.

9 MR. RUMLEY: Do I would hear a second?

10 MR. GOFF: I second.

11 MR. RUMLEY: Okay. I'll call a vote.  
12 Mr. Cervelli.

13 MR. CERVELLI: Yes.

14 MR. RUMLEY: Mr. Goff?

15 MR. GOFF: Yes.

16 MR. RUMLEY: Mr. Pittman?

17 MR. PITTMAN: Yes.

18 MR. RUMLEY: Mr. Smith?

19 MR. SMITH: Yes.

20 MR. RUMLEY: The chair votes yes.

21 Okay. Our legal matters, we're going  
22 to go into executive session here in a little while.  
23 We'll let Robin do a report there after we come back  
24 out of executive session.

25 Unfinished business we've pretty well

1 covered. You can't think of anything, can you, Don?  
2 I went over my notes. I can't think of anything  
3 that we need to discuss there. If you would go  
4 ahead, if you would, Don, on number seven and go  
5 over our consent agenda and then I'll entertain a  
6 motion to approve that.

7 MR. TOWNSEND: Okay. We have on the  
8 consent agenda approval of the agenda as amended by  
9 adding number 15 with a motion of Mitchell Smith  
10 seconded by Robert Goff, which was adding a request  
11 for proposal for a Grade-All, a multi-purpose  
12 excavator with a two-week advertising. The second  
13 consent agenda item was the approval of previous  
14 meeting minutes. Also, approval of the S.P.L.O.S.T.  
15 capital equipment for emergency services, which was  
16 the radios for the sheriff's department for the 800  
17 megahertz radios. 2010 financial statement as  
18 provided by Ms. Ladell McCullough, our certified  
19 public accountant from Henderson, Hutcherson &  
20 McCullough. Line of credit, tax anticipation loan  
21 to be awarded to the lowest cost to the County to a  
22 local financial institution for the amount of  
23 \$750,000 to be paid back by December 31<sup>st</sup>, 2011.

24 The Georgia Forestry north tower lease  
25 agreement was a memorandum of understanding.

1 Georgia Forestry real estate exchange to authorize  
2 county attorney Robin Rogers to draft the exchange  
3 documentation. Modification of the  
4 intergovernmental agreement between Dade County and  
5 the City of Trenton for debris cleanup, the Dyer  
6 property lease agreement for cleanup of tornado  
7 debris, the Smith property lease agreement for  
8 cleanup of tornado debris and then the added agenda  
9 item, 15, request for proposal for Grade-All for  
10 multi-purpose excavator.

11 MR. RUMLEY: Okay. Any questions or  
12 corrections? The reading of the minutes of the  
13 previous month's meeting will not be required such  
14 all Commissioners have been furnished copies in  
15 advance. The minutes are public record and  
16 available for review in my office, county  
17 executive's office. The minutes are included in the  
18 consent agenda. At this time, I'll entertain a  
19 motion to approve the consent agenda as presented.

20 MR. GOFF: I make a motion we approve  
21 the consent agenda as read.

22 MR. RUMLEY: Do I would hear a second?

23 MR. CERVELLI: Second.

24 MR. RUMLEY: I'll call a vote.

25 Mr. Cervelli?

1 MR. CERVELLI: Yes.

2 MR. RUMLEY: Mr. Goff?

3 MR. GOFF: Yes.

4 MR. RUMLEY: Mr. Pittman?

5 MR. PITTMAN: Yes.

6 MR. RUMLEY: Mr. Smith?

7 MR. SMITH: Yes.

8 MR. RUMLEY: The chair votes yes.

9 Okay. If anyone wants to talk us tonight, you're  
10 welcome to --

11 MR. PITTMAN: The ordinance about the  
12 railroad.

13 MR. RUMLEY: Okay. Robin, how do we  
14 need to word that pertaining to the railroad?

15 MR. ROGERS: Well, to approve the  
16 ordinance pertaining to the railroad as amended to  
17 include the separate violation for every ten minutes  
18 after the initial charge.

19 MR. RUMLEY: Okay. So are you going to  
20 relate to the -- so we need to relate to the  
21 Ordinance 06-02-11, but we are amending that  
22 ordinance.

23 MR. ROGERS: Yes. To make that one  
24 change. You know, if it were a substantial or  
25 material change, I would think we would want to have

1 another reading, but this one, since the only actual  
2 change is related to a different violation for every  
3 ten minutes, I don't think that's necessary.

4 MR. RUMLEY: All right. I'll entertain  
5 a motion pertaining to the ordinance prohibiting the  
6 blocking railroad crossings, Ordinance 06-02-11 as  
7 presented by our attorney, Mr. Robin Rogers. Do I  
8 hear a motion?

9 MR. CERVELLI: So moved.

10 MR. RUMLEY: Okay. Do I have a second?

11 MR. GOFF: Second.

12 MR. RUMLEY: Okay. I'll call a vote.

13 Mr. Cervelli?

14 MR. CERVELLI: Yes.

15 MR. RUMLEY: Mr. Goff?

16 MR. GOFF: Ye.

17 MR. RUMLEY: Mr. Pittman.

18 MR. PITTMAN: Abstain.

19 MR. RUMLEY: Mr. Smtih?

20 MR. SMITH: Yes.

21 MR. RUMLEY: And the chair votes yes.

22 That would look good on headline news, Southern  
23 employee. You might be getting your pink slip  
24 tomorrow. That would be bad news. You'd starve to  
25 death on your commission check. That's for sure,

1 wouldn't you?

2                   Okay. Anything else, Robin, now that  
3 we need to doctor on that? Okay. Go back to the  
4 audience if you want to come up and talk to us.  
5 You're welcome to come up. We'll give you five  
6 minutes or however long you need. We're not going  
7 to push you. Anyone want to come up and talk?  
8 You're welcome to. Tell us your name, please.

9                   MR. WHITE: My name is Mark White. My  
10 name is Mark White. I live in Middleton Estates.  
11 We were blessed not to have the damage that  
12 Tanglewood and part of Middlebrook and some of the  
13 other roads in our neighborhood had, but rumor has  
14 it that two -- there are two residents there that  
15 are going to walk away from their properties leaving  
16 behind the home as it stands right now and just as a  
17 concerned citizen, I don't know if there's been a  
18 precedence set when there's a building left like  
19 that, just for any situation, fire, a place where  
20 it's an eyesore where someone walks away. They've  
21 got money from the insurance company to demolish,  
22 but they're not going to do anything with it. I  
23 just wanted to pose the fact that that is going to  
24 happen and once the checks have already been given  
25 to these residents, as time goes on, that money

1 won't be available to do the work. It will  
2 evaporate and --

3 MR. PITTMAN: Mr. White, do you have  
4 like a community agreement or any kind of --

5 MR. WHITE: There are three sections of  
6 Middleton Estates and there are deed restrictions,  
7 but I don't know how that works, but I almost feel  
8 like we're going to need to approach the residents,  
9 but I didn't know if there was a precedent that was  
10 set that just it's not -- you know, the neighborly  
11 thing to do if you've been given money to do  
12 something and you walk away from doing the right  
13 thing. I just --

14 MR. RUMLEY: Exactly. I understand.  
15 You know, these people -- I want to talk to them  
16 myself because it may be, you know, they've got a  
17 lot on their mind besides that, I'm sure. I've been  
18 there. I lost my home in a tornado in '92 and that  
19 first month or so, you really just don't -- some of  
20 the decisions you make don't even -- you think,  
21 well, why did I do that. You know, it's just  
22 because really your whole life changes. So, you  
23 know, I would like to talk to them because I know  
24 both the people. I really heard more than two  
25 people over there that's going to do this. Even

1 after I talked to one of your people over there this  
2 evening, I found out about a couple more there  
3 possibly might be. We'll keep you up on it and  
4 we'll do -- Donnie, I know Donnie. I see Donnie  
5 just about every day unfortunately.

6           Anyway, we appreciate you. We really  
7 feel for that whole community over there right now.  
8 Like I said, I know even though you were fortunate,  
9 when you go home, it's kind of like, you know, it  
10 catches you. It's like a dream. I feel the same  
11 way about Edgewood when I come through in the  
12 mornings. It's just -- because I've lived here all  
13 my life. You're -- it's just not right, but we  
14 appreciate that and we'll keep you up on it.

15           Anyone else want to talk to us tonight,  
16 feel free. I don't know whether you --

17           UNIDENTIFIED CITIZEN: I will ask a  
18 question. Does anyone know when Ingle's is opening  
19 up again?

20           MR. RUMLEY: Well, you know, a fellow  
21 talked to me today about that and actually was one  
22 of the people that worked there and I really -- I  
23 called and left a message and hopefully they'll call  
24 me back tomorrow because that's a good question. A  
25 lot of people -- it's amazing how you

1 miss something. You don't think about it until you  
2 don't have it and how you miss it.

3 MR. CERVELLI: I heard a month.

4 UNIDENTIFIED CITIZEN: It's the only  
5 place I can buy my grapefruit juice.

6 MR. RUMLEY: Okay. If there's no one  
7 else, I'll need to entertain a motion to go into  
8 executive session pertaining to some legal issues  
9 and also some real estate discussions we need to  
10 have.

11 MR. PITTMAN: I make a motion we enter  
12 executive session.

13 MR. RUMLEY: Okay. Do I hear a second?

14 MR. GOFF: I'll second.

15 MR. RUMLEY: Okay. I'll call a vote.

16 Mr. Cervelli?

17 MR. CERVELLI: Yes.

18 MR. RUMLEY: Mr. Goff?

19 MR. GOFF: Yes.

20 MR. RUMLEY: Mr. Pittman?

21 MR. PITTMAN: Yes.

22 MR. RUMLEY: Mr. Smith?

23 MR. SMITH: Yes.

24 MR. RUMLEY: The chair votes yes. If  
25 y'all want to hang around, I don't think we'll be

1 real long.

2 (Thereupon, the Commissioners  
3 went into Executive Session.)

4 MR. RUMLEY: I need a motion to come  
5 out of executive session, please

6 MR. GOFF: I make the motion we come  
7 out of executive session.

8 MR. RUMLEY: Okay. Do I hear a second?

9 MR. PITTMAN: Second.

10 MR. RUMLEY: Okay. I'll call a vote.  
11 Mr. Cervelli?

12 MR. CERVELLI: Yes.

13 MR. RUMLEY: Mr. Goff?

14 MR. GOFF: Yes.

15 MR. RUMLEY: Mr. Pittman?

16 MR. PITTMAN: Yes.

17 MR. RUMLEY: Mr. Smith?

18 MR. SMITH: Yes.

19 MR. RUMLEY: The chairperson votes yes.  
20 During the executive session, we all agreed to  
21 authorize our attorney, Mr. Rogers there, to do a  
22 case study pertaining to a letter that we received  
23 pertaining to the methadone clinic in Dade County.  
24 We'll have a copy of that letter for the press here  
25 to take with them.

1                   Being no further said, that's pretty  
2 much cut and dry. We'll actually, I guess, at our  
3 next meeting, our next regular meeting, it's  
4 according to how much time he takes to do this,  
5 we'll keep everybody up and informed on it.

6                   Other than that, pretty much everything  
7 that we actually discussed. Anyone want to add  
8 anything pertaining to tonight's meeting, not  
9 executive session? If not, I'll entertain a motion  
10 to adjourn.

11                   MR. PITTMAN: I make a motion we  
12 adjourn.

13                   MR. SMITH: Second.

14                   MR. RUMLEY: Okay. All in favor, said  
15 aye.

16                   ALL COMISSIONERS: Aye.

17                   MR. RUMLEY: Okay. Meeting adjourned.

18  
19                   END OF PROCEEDING  
20  
21  
22  
23  
24  
25

## 1 REPORTER'S CERTIFICATE

2 STATE OF TENNESSEE )  
3 COUNTY OF HAMILTON )

4  
5 I, Erin M. Flatt, Court Reporter and  
6 Notary Public, in and for Hamilton County and the  
7 State of Tennessee at Large, do hereby certify that  
8 I reported in machine shorthand the proceedings had  
9 in the above-styled cause on the 2nd day of  
10 June, 2011;

11 That the said proceedings were  
12 reduced to typewriting under my personal supervision;  
13 and that the foregoing is a transcript of said  
14 proceedings.

15 This the 5th day of July, 2011.  
16  
17  
18  
19

20 Erin M. Flatt  
21 Erin M. Flatt, TN licensed  
22 Court Reporter.  
23 Tennessee LCR Number: 307  
24  
25